

**DECLARATION OF USE
MADE UNDER THE *PLANNING ACT 2016***

I, the Honourable Meaghan Scanlon MP, Minister for Housing, Local Government and Planning and Minister for Public Works declare in accordance with section 275O of the *Planning Act 2016* (the Planning Act), the following uses for the Tropical Cyclone Jasper event that occurred in Far North Queensland in December 2023:

1. **Shop** defined as:

Shop means use of premises primarily for the sale of goods ordinarily acquired for personal, domestic or household use or consumption such as food, toiletries and medicine (whether or not requiring a prescription).

To remove any doubt, the definition of shop for the purposes of this notice does not include the following uses under the Planning Regulation 2017:

- (a) adult store
- (b) agricultural supplies store
- (c) betting agency
- (d) food and drink outlet
- (e) garden centre
- (f) hardware and trade supplies
- (g) health care services
- (h) market
- (i) outdoor sales
- (j) service station (excluding shop component)
- (k) showroom.

The following uses where directly necessary for the supply of goods to a shop:

2. **Warehouse** defined as:

Warehouse means the use of premises for –

- (a) storing or distributing goods, whether or not carried in a building; or
- (b) the wholesale of goods, if the use is ancillary to the use in paragraph (a).

3. **Transport depot** defined as:

Transport depot means the use of premises for –

- (a) storing vehicles, or machinery, that are used for a commercial or public purpose; or
- (b) cleaning, repairing or servicing vehicles or machinery, if the use is ancillary to the use in paragraph (a).

This declaration applies to the local government areas governed by the following local governments and has effect from 22 December 2023 to 9 February 2024:

- Cairns Regional Council
- Cook Shire Council
- Douglas Shire Council
- Hope Vale Aboriginal Shire
- Mareeba Shire Council
- Tablelands Regional Council
- Wujal Wujal Aboriginal Shire Council
- Yarrabah Aboriginal Shire

In accordance with section 275P of the Planning Act, where any of the following has the effect limiting the hours of operation of the use or use of the class or restricting the movement of goods in relation to the use or a use of the class:

- a provision of the Planning Act
- a requirement of a designation
- a condition of a development approval

For the period this declaration is in effect, the provision, requirement or condition does not apply in relation to the carrying out of the use, or a use of the class, on premises in the area to which the declaration applies.

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke at the bottom.

Meaghan Scanlon MP
Minister for Housing, Local Government and Planning
Minister for Public Works